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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Situation of human rights in El Salvador

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report on the situation of human rights in El Salvador prepared by Professor José Antonio Pastor Ridruejo, Special Representative of the Commission on Human Rights, in accordance with paragraph 13 of Commission resolution 1991/75 of 6 March 1991 and Economic and Social Council decision 1991/257 of 31 May 1991.

ANNEX

Report on the situation of human rights in El Salvador prepared by the Special Representative of the Commission on Human Rights in accordance with paragraph 13 of Commission resolution 1991/75 of 6 March 1991 and Economic and Social Council decision 1991/257 of 31 May 1991

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I. INTRODUCTION

1. This report has been prepared pursuant to Commission on Human Rights resolution 1991/75 and Economic and Social Council decision 1991/257. It refers to the situation of human rights in El Salvador during the months that have elapsed in 1991, although it must obviously be read in the light of the reports submitted by the Special Representative since 1981. The Special Representative is grateful for the cooperation extended to him in discharging his mandate by the Government of El Salvador and other Governments, by the Frente Farabundo Martí para la Liberación Nacional (FMLN), international and non-governmental organizations and other individuals and institutions.

2. By letter of 17 June 1991, the Special Representative told the Government of El Salvador that he would like to visit the country between 21 and 29 September 1991. By letter of 4 July 1991, the Government granted permission for the visit to take place during those dates.

3. During his stay in El Salvador, the Special Representative had an opportunity to meet with the Constitutional President of El Salvador, Mr. Alfredo Cristiani, with senior authorities and officials of other branches of government and with chiefs and officers of the armed forces and security forces. At the headquarters of the Archdiocesan Legal Protection Office (Oficina de Tutela Legal del Arzobispado), he interviewed numerous witnesses brought forward by the latter and by other non-governmental humanitarian organizations and received extensive oral and written information from those organizations and from peasant and trade union movements. He held meetings with independent individuals and, lastly, visited the Ilopango and "La Esperanza" (Mariona) prisons where he was able to talk confidentially to political prisoners of various ideologies. The Special Representative also interviewed representatives of FMLN outside the country.

II. OVERALL POLITICAL SITUATION

4. The armed conflict between the armed forces and FMLN continued during the months that have elapsed in 1991, although not with the intensity of previous years. The negotiating process between the Government of the Republic of El Salvador and FMLN also continued, under the auspices of the Secretary-General of the United Nations. It should be recalled that the Secretary-General had intervened at the request of the Central American Presidents and within the framework of the mission of good offices entrusted to him by the Security Council in its resolution 637 (1989). The Secretary-General agreed to perform this task at the express request of the President of the Republic, Mr. Alfredo Cristiani, and of the five Commanders of FMLN, in return for assurances by the parties that they would come to the negotiating table in good faith and with the genuine intention of achieving peace.

5. According to the Geneva Agreement of 4 April 1990, the current negotiating process has four objectives: to end the armed conflict by political means as speedily as possible; to promote the democratization of the country; to guarantee unrestricted respect for human rights; and to reunify Salvadorian society. 1/ The Geneva Agreement also offered political parties and other representative social organizations the possibility of participating in the process.

6. The timetable for the negotiating process was adopted at Caracas on 21 May 1990. Under that timetable, the process would take place in two phases. The first phase would be aimed at reaching a set of political agreements leading to a cease-fire and would cover the following topics: armed forces, human rights, judicial and electoral systems, constitutional reforms, economic and social issues, and United Nations verification of the agreements reached. The second phase would be devoted to establishing the necessary conditions and guarantees for reintegrating the members of FMLN into the civil, institutional and political life of the country.

7. The first meeting between the parties in 1991, which was the sixth in the round of negotiations taking place under the auspices of the Secretary-General, was held at Mexico City from 3 to 6 January. Despite the secrecy of the meeting, it became known that the issue of the armed forces had been discussed. 2/ This was the first meeting to be held after the launching of the FMLN military offensive on 20 November 1990.

8. On 4 January 1991, the Secretary of State of the United States of America, James A. Baker III, and the then Minister for Foreign Affairs of the Union of Soviet Socialist Republics, Eduard A. Shevardnadze, sent a joint letter to the Secretary-General in which they reiterated their strong support for his personal efforts to help negotiate a political settlement of the conflict in El Salvador in accordance with the Geneva and Caracas agreements. They also expressed their deep concern at the increase in violence in El Salvador and expressed the view that it was extremely important to achieve an agreement on a United Nations-supervised cease-fire prior to the legislative and municipal elections scheduled for 10 March 1991. In that connection, they expressed the hope that the legitimate interests of all political sectors would be respected, and that conditions would be created for their participation in the elections and also for the United Nations to monitor and observe those elections. As members of the Security Council, they said they were prepared to work with other members of the Council and interested States to ensure that any political agreements reached prior to a cease-fire would be fully respected and implemented. Lastly, they stated their belief that the personal participation of the Secretary-General was key to finding a solution. 3/

9. The seventh round of negotiations and the second meeting in 1991 took place from 19 to 21 February 1991 at San Jose, Costa Rica. Subsequently, on 4 April 1991, the Secretary-General issued a statement marking the first anniversary of the launching of the negotiating process under his auspices. He referred to the Agreement on Human Rights signed by the two parties on

26 July 1990 at San José, Costa Rica, and announced that he would be submitting a formal proposal to the Security Council for the establishment in El Salvador of the mission to verify the Agreement, as the initial component of an operation that he intended to call ONUSAL, which would be responsible for the various agreements that emerged from the negotiations. On the issue of the armed forces, he said that though no agreement had yet been struck, much progress had been made. He also stated that the negotiating process had inspired a broad debate, involving all political parties and many social organizations and other institutions in El Salvador, on the spectrum of issues in the negotiations. He cautioned, however, against rising expectations of peace in the short term, given the scope and complexity of the issues under discussion.

10. A further round of negotiations took place at Mexico City from 4 to 27 April 1991. According to the Personal Representative of the Secretary-General to the negotiating process, the meeting produced significant and encouraging agreements. 4/ Those agreements concerned amendments to articles 77, 131, 162, 163, 168, 172, 174, 180, 182, 186, 188, 191, 192, 193, 208, 209, 211, 212, 213, 216 and 217 of the Constitution; the repeal of article 30; the insertion of a new article after article 193; and amendment of the heading of chapter VII of title VI of the Constitution. These articles concern the armed forces, the judicial and electoral systems and human rights. The most important provisions include the establishment of a National Civil Police for the maintenance of peace, tranquility, order and public safety, which will adhere strictly to respect for human rights and will be under the control of civilian authorities, independent of the armed forces and under the authority of a different ministry; creation of the post of a National Counsel for the Defence of Human Rights, who will be a member of the Public Prosecutor's Office and will be elected by a qualified majority of two thirds of deputies elected to the Legislative Assembly; allocation from the State budget to the judiciary of resources amounting to no less than 6 per cent of current income; establishment of a Supreme Electoral Tribunal; and the establishment of military jurisdiction as an exception to the unity of the system of justice and limited to the trial of purely military offences and misdemeanours. 5/

11. During the Mexico round of negotiations, agreement was also reached to establish a Commission on the Truth whose task it will be to investigate serious acts of violence that have occurred since 1980 and whose impact on society demands that the public should know the truth about the circumstances under which they took place. The Commission will be composed of three individuals appointed by the Secretary-General of the United Nations after consultation with the Parties and it will submit a final report with its conclusions and recommendations within a period of six months after its establishment.

12. On 27 April 1991, FMLN issued a unilateral declaration in which it stated that the wording of article 211, where the armed forces were described as a "permanent" institution, was incompatible with its position on the matter. It also stated that it considered there to be constitutional reforms still

awaiting negotiation, including demilitarization, article 105 on the limits on rural land ownership, and the need to change the actual mechanism for reform of the Constitution, either by amending article 248 or by other procedures such as popular referendum.

13. On 28 April 1991, the President of the Republic submitted the Agreements on constitutional reform reached at Mexico to the Legislative and Constitutional Committee of the Legislative Assembly. The Legislative Assembly adopted the document submitted by the President. Nevertheless, in order for the amendments to enter into force, they must be ratified by two thirds of the deputies to the Legislative Assembly whose term began on 1 May and must be published in the official journal. The Legislative Assembly, however, introduced amendments to the provisions agreed on at Mexico concerning the Supreme Court of Justice and the composition of the Supreme Electoral Tribunal. 6/

14. A further round of negotiations began on 25 May 1991 at Caracas, Venezuela, and ended on 2 June 1991. Both Colonel Mauricio Ernesto Vargas, Deputy Chief of Staff of the Armed Forces, and FMLN Commander Shafik Handal stated that no major progress had been made. 7/

15. Representatives of the Government and of FMLN met for the tenth time at Querétaro, Mexico, from 16 to 23 June 1991. Previously, representatives of FMLN had held a meeting at Mexico City with representatives of the Inter-party Commission, which comprises the political parties represented in the Legislative Assembly, to make known the position of FMLN on the negotiating process. 8/ This dialogue marks increased participation in the negotiating process by the main Salvadorian political forces. The Querétaro round of negotiations apparently also ended without specific agreements being reached. The Personal Representative of the Secretary-General explained, however, that the negotiations were at a decisive stage in which it was difficult to reach partial agreements. 9/ The round was reportedly devoted to the items on reform of the armed forces, disarmament and demobilization of FMLN forces and cesastion of military operations. 10/

16. The talks continued on 10 and 11 July 1991 in Mexico. Upon their conclusion, the Personal Representative of the Secretary-General stated that "there had been substantial progress, although nothing spectacular". 11/

17. It should be noted that at the conclusion of the tenth Summit of the Central American Presidents, which took place at San Salvador from 15 to 17 July 1991, a Declaration was issued by the Heads of State of the region in which they reiterated "their condemnation of acts of violence and terrorism, which have no justification whatsoever" and called, "for the good of Central America and with verification by the United Nations, for the disarmament and demobilization of the Frente Farabundo Martí para la Liberación Nacional, so that it may join ... in the civil, institutional and political life of El Salvador". 12/

18. With a view to ending the impasse in the negotiating process, the Secretary-General of the United Nations invited the President of El Salvador and the Commanders of FMLN to meet with him at United Nations Headquarters in New York on 16 and 17 September. 13/ The meetings of both parties with the Secretary-General continued until 25 September, when the New York Agreement was signed. This Agreement was prompted by the need to give a final impetus to the negotiating process with a view to arriving, in the short term, at the set of political agreements required to put a definite end to the armed conflict. The New York Agreement establishes the National Commission for the Consolidation of Peace (COPAZ); provides for a process of purification and reduction of the armed forces and an agreement between the parties on redefining the doctrine of the armed forces; reaffirms the validity of the agreement reached in Mexico on 27 April 1991 concerning the training system for the armed forces; establishes the agenda for the negotiations on the new National Civil Police; sets forth some agreements reached on economic and social questions; and draws up an agenda for negotiations on pending items.

19. It should be noted that COPAZ, which will be a mechanism for civilian society to monitor and participate in the process of change resulting from the negotiations, will be responsible for overseeing the implementation of all the political agreements reached by the parties. COPAZ will be composed of two representatives of the Government, including a member of the armed forces, two representatives of FMLN, and one representative of each of the parties or coalitions represented in the Legislative Assembly. The Archbishop of San Salvador and a delegate of the United Nations Observer Mission in El Salvador (ONUSAL) will have access to the work and deliberations of COPAZ as observers. In the event of a difference of opinion as to whether a matter should be submitted to COPAZ, the question will be decided by the latter. COPAZ will have access to and may inspect any activity or site connected with the implementation of the peace agreements; it will have the power to prepare the preliminary legislative drafts necessary for the development of the agreements; it will have the power to issue conclusions and recommendations of any kind relating to the implementation of the peace agreements and to make them public; it will be authorized to address the relevant organs of the United Nations through the Secretary-General; and it will have the power to oversee the implementation of the agreements reached by the parties. In addition, the establishment of COPAZ will be explicitly endorsed in the resolution to be adopted by the Security Council concerning the peace agreements; the Secretary-General will keep the Security Council informed regarding the activities and the effectiveness of COPAZ; and COPAZ will be endorsed by Governments which are in a position to support effectively the guarantee required under the agreements.

20. During the New York round of negotiations, agreement was likewise reached on a process of purification of the armed forces, based on the vetting of all personnel by an ad hoc Commission. The armed forces will participate in this Commission through two representatives, who will have access only to the deliberations of the Commission. Furthermore, it was agreed that the parties should establish the criteria for determining the size to which the armed forces are to be reduced in peacetime, and that the plan for the reduction of

the armed forces (manner, timetable, budget, etc.) should be drawn up. In addition, agreement will be reached on the redefinition of the doctrine of the armed forces, on the understanding that the function of the armed forces is to defend the sovereignty of the State and the integrity of its territory, based on the principle that the activities and the regime of the armed forces are to be consistent with the rule of law, the primacy of the dignity of the human person and respect for human rights; the defence of and respect for the sovereignty of the people; the concept of the armed forces as an institution in the service of the nation, free from all considerations of politics, ideology or social standing, and from all other forms of discrimination; and the subordination of the armed forces to the constitutional authorities. The professional training of personnel serving in the armed forces will place emphasis on the pre-eminence of human dignity and democratic values, respect for human rights and the subordination of such forces to the constitutional authorities. The agreements reached in this area will also cover the admission and instruction systems.

21. With regard to the National Civil Police, the Agreement provides that the process of its establishment and organization should begin immediately, without awaiting other political agreements or the cessation of the armed conflict. The agenda for such negotiations will include its legal regime; doctrine; the enlistment of new personnel on the basis of a pluralistic and non-discriminatory selection and training system; profiles and training; the vetting of current National Police personnel, and the disbandment of the National Guard and the Treasury Police as public security forces. The organization of the National Civil Police and of the National Public Security Academy and the selection of their personnel will be the subject of close international cooperation and supervision.

22. With regard to economic and social questions, it was agreed that lands in excess of the constitutional limit of 245 hectares, as well as lands owned by the State which are not currently forest reserves, will be used to meet the needs of peasants and small farmers who are without land. To this end, the Government must try to purchase lands offered for sale to the State. Likewise, the current land-holding situation in conflict zones will be respected until a satisfactory definitive legal solution is arrived at, and the policies for granting loans to the agricultural sector will be revised. In addition, the parties agreed to refer to the phase of "compressed negotiations" the consideration of measures required to alleviate the social cost of structural adjustment programmes; the appropriate procedures for direct external cooperation in community assistance and development projects; and the establishment of a forum for economic and social consultation, with participation by the governmental, labour and business sectors.

23. The Special Representative was informed by both the parties that they intend to begin the compressed negotiations phase on 12 October 1991, the objective being to conclude them, under the best circumstances, by 15 December 1991.

24. The Special Representative once again reaffirms his conviction that the success of the current negotiations is indispensable to the eradication of human rights violations in El Salvador. The country's long and painful experience shows that violations will continue so long as there is violent conflict. Thus, even while acknowledging the extent of the difficulties that exist, the Special Representative can only urge the parties once again most emphatically, to continue to display, in the negotiating process, a vision of the future, realism and imagination and, above all, generosity towards the Salvadorian people, so that a just and lasting peace may be achieved at the earliest possible date. In this connection, the Special Representative also believes that the reduction of violence by both parties, both in and out of combat, will help to create a climate of trust that will facilitate an early, successful outcome to the negotiations.

25. In conversations held during his visit to El Salvador with representatives of social sectors of various ideologies, the Special Representative thought he detected in some of them a psychological predisposition to confrontation which was hardly, or not at all, in keeping with the objectives of peace and harmony underlying the negotiations between the Government and FMLN. In this connection, the Special Representative believes that the sentiments of reconciliation and peace which are shared by the vast majority of the Salvadorian people have not yet managed to penetrate the civil culture of some radicalized minority groups of opposing ideologies. This could hinder the full implementation of present and future agreements. Hence the need, in the Special Representative's view, for the Government and FMLN to make every effort to impart to all the country's social forces and sectors, including the most radicalized sectors, the noble objectives of the negotiations; hence, too, the importance of endowing present and future agreements with institutional and other guarantees which will ensure their effective and scrupulous implementation.

26. The Special Representative must mention that on 10 March 1991, general legislative and municipal elections were held in El Salvador. According to information from the Central Board of Elections, 53 per cent of registered voters took part in the electoral process. As a result of this process, the Legislative Assembly, consisting of 84 representatives, was formed as follows: Alianza Republicana Nacionalista (Nationalist Republican Alliance - ARENA), 39 seats; Partido Democrata Cristiano (Christian Democratic Party - PDC), 26 SEATS; Partido de Conciliación Nacional (National Conciliation Party - PCN), 9 seats; convergencia Democrática (Democratic Convergence - CD), 8 seats; Unión Democrática Nacionalista (Nationalist Democratic Union - UDN), 1 seat; and Movimiento Auténtico Cristiano (Christian Authentic Movement - MAC), 1 seat. Acción Democrática (Democratic Action - AD) also took part in the electoral process but did not receive sufficient votes to win a seat.

III. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

27. The Special Representative continued to receive many reports from various sources concerning harassment by the armed forces and the security forces directed against the activities of trade union, peasant and cooperative movements and inhabitants of resettled communities. Such harassment has allegedly extended on occasion to arrests, serious threats, mistreatment, torture and even disappearances and summary executions, matters which will be discussed in the appropriate section of this report. The following paragraphs contain selective and non-exhaustive information on the harassment in question.

28. On 27 February 1991, security forces allegedly attacked a demonstration by 6,000 trade unionists which was taking place in front of the Presidential Palace in San Salvador. It is also reported that between 12 and 18 March 1991, security forces carried out actions against striking public service workers, shooting and wounding 2 of them and arresting 15. 14/ Moreover, on 20 March 1991, members of the armed forces are said to have opened fire in Mejicanos, a neighborhood on the outskirts of San Salvador, on 10 members of the Comité de Desempleados y Despedidos de El Salvador (Committee of Unemployed and Dismissed Workers of El Salvador) while they were painting slogans calling for demilitarization of the country. Two of these peole were allegedly wounded and five detained. 15/ A letter sent to the Special Representative by the Comité Cristiano Pro Desplazados de El Salvador (Christian Committee for Disaplaced Persons in El Salvador - CRIPDES) 16/ mentions the campaign of government harassment aimed at the eviction of communities and settlements of displaced, resettled and repatriated persons; this campaign allegedly involved deaths, serious injuries and arrests and the destruction of property. Many other sources have supplied information on these events. Priests from Chalatenango personally explained to the Special Representative the details of the harassment: serious threats, mistreatment, arrests and the destruction of food, utensils and crops. The priests also referred to the fact that inhabitants of resettled areas have yet to be provided with papers, creating insecurity and preventing them from moving freely around the country.

29. Having transmitted these complaints to the Salvadorian authorities, the Special Representative again received the explanation that the vast majority of Salvadorian trade union and peasant organizations have been infiltrated by FMLN and serve its political ends, namely, provocation and destabilization, a charge denied by the organizations in question. Whatever the case, the Special Representative considers that government action must be in keeping with the Constitution and the law and must scrupulously respect human rights.

30. The Special Representative received extensive information in El Salvador about the fact that some popular organizations are encouraging, for purposes of destabilization, the violent occupation of land belonging to others. Members of such organizations admitted to the Special Representative that this was true, claiming that such occupations were a "natural right" of the most dispossessed and complaining bitterly of the subsequent evictions. Officials of the Financiera Nacional de Tierras Agrícolas (FINATA) said that they had land available for peasants who applied for it according to the legal

procedures. The President of the recently established Banco de Tierras said that his institution could finance the purchase of properties only if there was agreement between the parties concerned and could never finance the purchase of land taken over by force.

31. The Special Representative received information about FMLN attacks on the country's economic infrastructure, although such attacks are not as serious nor as frequent as in the years prior to 1990. A document dated 25 September 1991 from the Comisión Ejecutiva Hidroeléctrica de Río Lempa (CEL) reports that during the period between September 1990 and August 1991, there were 732 attacks on power lines and 7 attacks on power stations and substations. More specifically, FMLN sabotage left the central part of the country without electricity for an hour on 17 April 1991. 17/

32. A communiqué allegedly issued by FMLN on 13 August 1991 18/ also stated that a "punitive campaign" was being launched against building and financial firms. The campaign later took the form of the destruction of luxury housing in the Zacamil area.

33. In this connection, the Special Representative was able to read at San Salvador a letter on FMLN letterhead sent in September 1991 to the manager of a synthetics plant, which in highly literate terms "suggests" a "one-time contribution of $500,000 as war funds", under threat of kidnapping. An FMLN representative, when shown this letter by the Special Representative, expressed surprise at the letterhead, which according to him was not the one currently used by the Front, and agreed to give additional information.

IV. CIVIL AND POLITICAL RIGHTS

A. Summary executions

34. In the months that have elapsed in 1991, the Special Representative received extensive information from many sources on politically motivated summary executions, equivalent to murders, of non-combatants. As in previous reports, he wishes to draw attention to the difficulty of determining the exact number of such crimes, since they are not easy to investigate and the total figures differ according to source. He therefore advises extreme caution and circumspection in making an overall assessment of such incidents.

35. The figures reproduced below, with comparative tables for 1990, are those supplied by the Archdiocesan Legal Protection Office and the Salvadorian Human Rights Commission (governmental) 19/ for summary executions attributed to members of the army, security forces and civil defence:

	Politically motivated summary executions of non-combatants attributed to members of the army, security forces and civil defence Source: Legal Protection		Civilian deaths attributed to members of the armed forces Source: Human Rights Commission (governmental)	
	1990	1991	1990	1991
January	1	2	6	8
February	7	4	2	5
March	6	3	7	10
April	4	4	2	5
May	7	6	4	5
June	9	16	7	4
July	8	4	10	7
August	3	2	4	9
Total (up to August)	45	41	42	53

36. Apart from the figures reproduced above, the Special Representative received specific reports of summary executions, which are no doubt reflected in those figures. This specific information is given below, on the understanding that it is selective and not exhaustive.

37. When he introduced his previous report to the Commission on Human Rights, the Special Representative mentioned the massacre committed during the night of 21-22 January 1991 at the village of El Zapote, in which 15 members of the Aragón family, ranging in age from 14 to 60, died. On that occasion, the Special Representative was unable to give any indication as to who the perpetrators might have been or to assert that it was a politically motivated crime. It is important to mention now that in a document published in March 1991, 20/ Americas Watch states the following:

> "Although a question remains as to whether those implicated and detained were solely responsible for the Zapote killings and not aided by others, a preliminary investigation by Americas Watch finds it plausible that the massacre may have been the result of a family feud and had no political motives. Major questions remain, however, as to exactly how a family feud resulted in a well-executed operation in which so many were killed. Moreover, the investigation by the Government, which never seriously

considered the possibility of military involvement, and on occasion actually sought to dismiss it, needs to continue in order to clarify the possibility of further perpetrators."

38. The Special Representative heard testimony on 10 February 1991 alleging that Salvador Molina López, 17 years old and a member of the political coalition Convergencia Democrática, was summoned to work the night shift by Efraín Mazariega Torres, the manager of the Hornos de Cal quarries in the village of Chimalapa, El Panal canton, Metapán district, Department of Santa Ana. His family was opposed to his going, because both Mazariega Torres and Carlos Torres, members of the civil defence military escort in the village of Chimalapa, had earlier threatened to kill Convergencia Democrática activists. Molina López did go and was killed by Efraín Mazariega Torres, who threw the corpse into a ravine known as Casas Viejas. Mazariega Torres was arrested and confessed the killing before the First Court of the Peace of Metapán. However, he was later released. Recently both he and Carlos Torres are alleged to have threatened the father of the victim, saying that they would kill his other son, Víctor Manuel Molina López, and blow up his house with grenades if he went ahead with his court case and pressed his charges.

39. On 21 February 1991, a member of the civil defence is alleged to have shot young Félix Alberto Arévalo, 19 years old, wounding him seriously in the course of a forced recruitment sweep in the village of Cuscatancingo 21/.

40. According to the Human Rights Commission (non-governmental) of El Salvador, 22/ on 19 March 1991 troops of the armed forces shot at a group of civilians walking along the road from Chalatenango to Guarjila; an eight-year-old girl, María Teresa, was seriously wounded and died two days later.

41. A witness testified on 10 May 1991 that Víctor Méndez Cruz, a 24-year-old student of architecture, was bicycling with his girlfriend, Angélica María Castillo Paiz, a 20-year-old nursing student, along the Avenida Central in Colonia Santa Emilia in San Miguel. Suddenly, a red Toyota Hiace van with tinted windows intercepted them. A man dressed in an olive-green military camouflage uniform, with military cap and boots stepped out of the vehicle and tried to force Angélica María Castillo Paiz to get into the van. Other women who appeared to be recent detainees are said to have been inside. Méndez Cruz tried to prevent his girlfriend from being kidnapped, whereupon the presumed soldier shot him several times with a G-3 rifle, killing him. He then shot the girl, seriously wounding her. The girl died the following day in a hospital in San Miguel. The spot where the double killing took place is situated within the security perimeter of the Arce Battalion barracks. During the wake for Méndez Cruz, detectives from the National Police of San Miguel searched the body and found a calendar from the political coalition Convergencia Democrática, in the deceased's wallet. This was presumably enough evidence for them to tell the family that Méndez Cruz was a guerrilla. The members of the family deny that Méndez Cruz had any political affiliation.

42. According to a witness interviewed personally by the Special Representative, on 21 June 1991, José Ernesto Sorto Luna, a captain in the

self-styled Ejército Nacional para la Democracia (National Army for Democracy) which belongs to FMLN, went to visit his mother at her home in the village of Plan del Carbón in Los Abelines canton, Guatajiagua district, Department of Morazán. He went alone, unarmed and in civilian clothing. The next day, while he was sitting with a small son in the yard of the house, he was surprised by a group of approximately 30 soldiers from military post No. 4, who shot and fatally wounded him. The soldiers reportedly searched the body and took the money he had on him, a watch, a gold chain and even his false teeth, consisting of two gold crowns and a gold bridge. The soldiers then searched his mother's house for weapons. Not finding any, they left, threatening to kill the mother if she reported what had happened. According to eyewitnesses, the soldiers made no attempt to arrest the victim, but opened fire as soon as they saw him. The victim's mother, Francisca Sorto Argueta, says that four other of her sons have also been killed by the army.

43. According to the statement of a witness heard by the Special Representative at San Salvador, on 28 June 1991, Carlos Orlando Gallardo, a 32-year-old married merchant, boarded a bus in San Salvador in order to go to Suchitoto, where he lived. At the "Las Guaras" bridge in Suchitoto district, Department of Cuscatlán, the bus was stopped by a reserve unit of soldiers from military post No. 5, allegedly under the command of a Lieutenant Portillo. The soldiers ordered the passengers to get off the bus and form two lines, one of men and the other of women. Gallardo reportedly refused to line up and then refused to give his money to the corporal searching him, who insulted and struck him and reported the incident to the lieutenant. The lieutenant arrested Gallardo and ordered all the other passengers back on the bus, and told the driver to go on to Suchitoto. As the bus was pulling away, Gallardo reportedly ran towards it and was shot by the corporal. The lieutenant allegedly denied pleas by the driver and passengers to return to San Salvador with the wounded man, and ordered them to continue on to Suchitoto. At Suchitoto, the order was given to transport the wounded man to San Salvador, but he died on the way. The corporal is in prison, but the lieutenant is apparently at liberty. The bus passengers have said they are afraid to give evidence about the incident because they often have to pass the unit in question.

44. On 25 August 1991, members of the Salvadorian air force reportedly shot at José Dimas, an activist in the 16 de marzo community, while he was out walking with friends. Having wounded him in the leg, they then killed him. 23/

45. As in previous years, the Special Representative has received a great deal of information about summary executions and other politically motivated serious human rights violations attributable to the so-called "death squads". According to information sources, these squads have ties to, or are tolerated or protected by, members of the armed forces and security forces. In theory, this allegation seems plausible, although the Special Representative must point out that the circumstances in which the death squads operate do not exactly make it easy to investigate the actual incidents attributed to them. Furthermore, it certainly cannot be ruled out that their activities provide a cover for ordinary offences.

46. In any event, the Archdiocesan Legal Protection Office has supplied comparative figures for summary executions attributed to the "death squads" for the first eight months of 1991 and for 1990, which are shown below side-by-side with figures provided by the Salvadorian Human Rights Commission (governmental) for civilian deaths as a result of actions by persons unknown.

	Politically motivated summary executions attributable to the so-called "death squads"		Civilian deaths as a result of actions by persons unknown
	Source: Legal Protection		Source: Human Rights Commission
	1990	1991	1991
January	9	7	19
February	4	4	18
March	8	2	23
April	8	3	10
May	3	6	17
June	5	2	10
July	8	2	27
August	6	4	17
Total (up to August)	51	30	141

47. The following paragraphs describe some specific incidents attributed to the death squads.

48. On 11 March 1991, the body of Isaac Martínez, who had been a Convergencia Democrática candidate in the latest elections, was found on a main road near Santa Ana. The body bore machete wounds and signs of torture. 24/ However, the judicial papers supplied to the Special Representative by the Salvadorian Human Rights Commission (governmental) indicated that Mr. Martínez had been the victim of a common crime committed by relatives.

49. On 19 May 1991, Gustavo Rosa Ramírez Aguilar was killed by shots fired into his home in the village of El Charcón, Department of La Libertad, in the presence of his wife and three children. Mr. Rosa was a displaced person and the circumstances of his death, including the fact that he had been detained by members of the National Police three weeks earlier, lead some local non-governmental organizations to believe that the crime was committed by persons with ties to government forces. 25/

50. On 8 July 1991, the brutally mutilated body of Martín Ayala Ramírez, a member of the Consejo de Comunidades Marginales (Council of Marginal

Communities) was found in that organization's San Salvador offices. His wife, María Leticia Campos, was seriously wounded in the same attack. Local non-governmental organizations attributed the crimes to "death squads". 26/ On 6 August 1991, the alleged perpetrators of the crimes were shown on television by the Criminal Investigation Commission and allegedly stated that their motive had been robbery. This explanation did not convince the leaders of the Consejo de Communidades Marginales. 27/ The Special Representative was able to interview the alleged perpetrators in Salvadorian jails. The obvious contradictions in their statements would seem to indicate that it was not they who committed the crime.

51. According to testimony received by the Special Representative in El Salvador, at 7 p.m. on 3 August 1991, six men in civilian clothing abducted two young men who were murdered that night.

52. There are also reports of some organizations issuing written threats against persons suspected of belonging to FMLN and even against members of the United Nations Observer Mission in El Salvador (ONUSAL) and people working with them. 28/ In Sal Salvador, the Special Representative was able to see some of those threatening notes with his own eyes, especially the one sent to CRIPDES militant Mirtala López by the so-called Frente Anticommunista Salvadoreño (Salvadorian Anti-Communist Front). The Special Representative informed the Armed Forces General Staff of his concern at these threats. He was told that the matter was being investigated and that two alternative theories were being considered: that the threats were coming from an extreme left-wing or an extreme right-wing group.

53. Bearing in mind the need for circumspection referred to earlier and taking into account all the information to which the Special Representative has had access, it can be concluded that the practice of summary executions by elements of the State apparatus, in particular by members of the armed forces and civil defence forces, persisted in the first eight months of 1991. The Special Representative notes, however, that the number of these violations is slightly lower than last year. This conclusion is borne out by absolutely reliable independent sources. In any event, as in 1990, the Special Representative is concerned at the atmosphere of intimidation against specific sectors of the population - particularly trade union members, peasants and inhabitants of resettled communities - who claim to be exposed to the worst reprisals.

54. The Special Representative also received a great deal of information about summary executions attributable to guerrilla organizations. According to Legal Protection and the Salvadorian Human Rights Commission (governmental), the figures are as follows:

	Summary executions attributable to guerrilla organizations		Civilian deaths as a result of terrorist acts	
	Source: Legal Protection		Source: Human Rights Commission (governmental)	
	1990	1991	1990	1991
January	0	3	13	5
February	1	0	2	4
March	0	1	7	3
April	2	1	5	1
May	3	3	6	5
June	2	2	4	5
July	4	2	6	4
August	0	3	6	3
Total (up to August)	12	15	49	30

55. The Special Representative also received specific information about summary executions, equivalent to murders, attributed to guerrilla organizations. This information is summarized in the following paragraphs on a selective and non-exhaustive basis.

56. In an 11 April 1991 letter to the Special Representative, the Salvadorian Armed Forces General Staff attributed to FMLN commandos the summary execution on 22 March 1991 at Ahuachapán of the foreman of a farm. The Special Representative was unable to obtain any further information in El Salvador on the incident.

57. According to testimony heard by the Special Representative at San Salvador on 8 April 1991, Guillermo Hernández Rosales, a 27-year-old deserter from the armed forces Police Instruction Centre (CETIPOL), was abducted by members of the FMLN "Modesto Ramírez" Central Front while on his way to the village of La Mora in El Zapote canton, Suchitoto district, Department of Cuscatlán. A member of the Front's northern Guazapa command, Tito Ruíz, reported that Hernández Rosales had been questioned about his activities and had confessed to being a zapador (infiltrated among the civilian population in conflict zones to inform the armed forces of guerrilla movements). On 10 April, the northern Guajapa command ordered his execution by firing squad, which took place at Mango Mocho in San Antonio canton, Suchitoto district, Department of Usulután at 6 p.m. that day.

58. FMLN has also threatened individuals with summary execution. The Special Representative received news of serious threats by FMLN against certain mayors. Specifically, he was able to read a letter sent to the mayor of a town in the Department of Usulután warning the mayor that if he did not

resign, he would be exposing himself to reprisals. 29/ According to the same source, nine mayor's offices of 16 towns in the Department of Usulután were operating in exile because of serious threats by FMLN, and several towns in the department did not enjoy the basic services of a mayor's office.

B. Arrests, abductions and disappearances

59. Non-governmental organizations in San Salvador told the Special Representative that political arrests had continued during the first eight months of 1991. A number of witnesses also said that they had been arrested, although in most cases they had been released within 72 hours. Such arrests undoubtedly occur, but the Special Representative again recognizes the power of the Salvadorian authorities to arrest people who commit violence against the constitutional order, as long as the arrest and subsequent legal proceedings are in keeping with constitutional standards and with the international human rights obligations assumed by the Republic of El Salvador.

60. The Salvadorian Human Rights Commission (governmental) gives the following figures for arrests:

Arrests attributable to the army, security forces and civil defence

Source: Human Rights Commission (governmental)

1991

	Total persons registered as prisoners	Persons sentenced	Persons handed over to other institutions 1/	Persons released
January	102	25	8	69
February	56	17	5	34
March	24	4	0	20
April	64	8	5	51
May	107	27	5	75
June	100	30	2	68
July	86	10	2	74
August	33	5	2	26
Total (up to August)	572	126	29	417

1/ Directorate General for Migration, municipal authorities, psychiatric hospitals, etc.

61. Legal Protection provides the following statistics:

Arrests attributable to the army, security forces and civil defence

Source: Legal Protection

	Total persons arrested and not released		Persons arrested and currently in detention		Persons arrested who subsequently disappeared	
	1990	1991	1990	1991	1990	1991
January	68	17	50	14	18	3
February	65	10	54	9	11	1
March	38	13	29	9	9	4
April	38	21	23	14	15	7
May	34	31	18	24	16	7
June	34	31	30	30	4	1
July	34	13	28	13	6	0
August	5	9	4	9	1	0
Total (up to August)	316	145	236	122	80	23

62. With regard to enforced or involuntary disappearances, the Archdiocesan Legal Protection Office provides the following figures for the first eight months of 1991, with the corresponding figures for 1990:

Enforced or involuntary disappearances

Source: Legal Protection

	Total disappearances		Disappearances following arrest by the army, security forces or civil defence		Disappearances following abduction by guerrilla organizations		Disappearances where the circumstances or culprits are unknown	
	1990	1991	1990	1991	1990	1991	1990	1991
January	31	11	18	3	3	1	10	7
February	19	14	11	1	0	2	8	11
March	20	11	9	4	0	1	11	6
April	21	12	15	7	0	1	6	4
May	27	15	16	7	1	2	10	6
June	14	8	4	1	2	1	8	6
July	14	7	6	0	1	1	7	6
August	4	9	1	0	0	0	3	9
Total (up to August)	150	87	80	23	7	9	63	55

63. People have also been abducted and forcibly recruited by guerrilla organizations. The following figures are provided by Legal Protection and the Salvadorian Human Rights Commission (governmental):

Persons abducted or forcibly recruited by guerrilla organizations

	Source: Legal Protection						Source: Human Rights Commission (governmental)	
	Total (Legal Protection)		Abductions by guerrilla organizations		Forcible recruitment by guerrilla organizations		Civilians abducted by FMLN	
	1990	1991	1990	1991	1990	1991	1990	1991
January	3	1	3	1	0	0	31	4
February	0	2	0	2	0	0	5	7
March	0	1	0	1	0	0	8	2
April	0	1	0	1	0	0	25	6
May	1	2	1	2	0	0	3	11
June	2	1	2	1	0	0	10	1
July	7	1	1	1	6	0	1	2
August	0	0	0	0	0	0	1	4
Total (up to August)	13	9	7	9	6	0	84	37

64. According to information provided by the Salvadorian Human Rights Commission (governmental), on 18 June 1991 FMLN abducted army Second Lieutenant Pedro A. Hernández Pérez while he was on leave and demanded a ransom for his release. On payment of the ransom by his parents, the second lieutenant was released on 8 September 1991.

65. Salvadorian businessman Gregorio Zelaya was abducted at the end of July 1991. In a statement issued on 5 August, FMLN claimed responsibility for the abduction, 30/ accusing Zelaya of not paying war taxes and of organizing "death squads". He was released by FMLN on 23 August. 31/ The Special Representative learned in San Salvador that Zelaya had been released in return for the payment of a ransom in six instalments.

66. Lastly, the Special Representative received information from numerous sources that FMLN is continuing to practice forcible recruitment, even among minors of both sexes.

C. Treatment of political prisoners

67. The Human Rights Commission (non-governmental) of El Salvador sent a document to the Special Representative, 32/ containing a list of cases of torture of political prisoners during the first four months of 1991. The list included 34 cases, all attributed to elements of the State apparatus.

68. During his visit to the country, the Special Representative questioned a fairly broad sample of former or current political prisoners. Prisoners belonging to organizations all made roughly the same complaints as in 1990: very long periods of interrogation while blindfold and without being able to sit down or relieve themselves, extensive beatings, the occasional use of a hood which impedes breathing and causes fainting, immersion of the head in tanks of water, electric shocks, and threats to themselves or their families. According to some accounts, the torture was designed to elicit public admissions of guilt for crimes the victims had not committed. Witnesses who did not belong to organizations complained only of intense interrogation while blindfold.

69. The Special Representative has to admit that, owing to the number and nature of the witnesses he was able to question in person, he cannot establish precisely what percentage were subjected to torture or cruel, inhuman or degrading treatment. The practice clearly persists but, in his opinion, is not an institutionalized policy; whether or not a detainee is tortured depends on a number of contingent factors, such as the value of the information he may give, the military situation of the conflict, the identity of his captors, etc.

70. During his visit to the "La Esperanza" (Mariona) prison, the Special Representative was able to witness for himself the overcrowded conditions and alarming insecurity in which prisoners were living. It is not infrequent for prisoners to die at the hands of their fellow inmates.

71. According to various sources and testimony heard directly by the Special Representative, at about 8 p.m. on 17 June 1991 members of FMLN attacked the Mariona prison, the largest in the country, releasing and arming 35 political prisoners and breaking open cells occupied by ordinary prisoners. During the escape, a skirmish occurred between prison guards and guerrillas, which resulted in the deaths of three prisoners inside and six outside the prison. According to testimony received by the Special Representative, another prisoner apparently died the following day as a result of shots fired by prison guards during incidents which took place inside the prison.

D. Criminal justice

72. In the reports he has been submitting since 1981, the Special Representative has repeatedly voiced his concern at the unsatisfactory functioning of the Salvadorian criminal justice system as a whole, although he has acknowledged the difficulties that exist in this respect and the commendable professional and independent attitude of some judicial bodies.

This attitude is not enough, however, to bring the overall situation of the criminal justice system up to the standards set forth in the current Constitution and in the international human rights instruments binding on the Republic of El Salvador.

73. With regard to developments so far in 1991, the Special Representative must first mention the fact that a public trial was held in the case involving the murder of six Jesuit priests and two other persons on 16 November 1989. The trial began on Thursday, 26 September 1991 and ended on the evening of Saturday, 28 September, when the jury, consisting of five Salvadorian citizens, delivered a verdict finding Colonel Benavides guilty of all the murders and Lieutenant Mendoza guilty of the murder of the 15-year-old girl, Celina Ramos. The jury declared that it was not fully convinced of the guilt of the remaining defendants, all members of the armed forces, despite the existence of confessions admitting their involvement. Whatever the moral verdict on this surprising acquittal - in which the excuse that those concerned were only obeying orders seems to have played a part - the importance of the fact that an army colonel and lieutenant have been convicted of human rights violations should not be overlooked. The verdict sets a significant precedent whose importance should not be underestimated given the current situation of criminal justice in El Salvador. However, the Special Representative shares with many sectors of local and international public opinion, especially local and international non-governmental humanitarian organizations, the justified misgivings that others may have planned the murders. It has to be asked whether a decision so fraught with consequences of every kind as that to murder the Jesuit priests could have been taken solely by a colonel who, by all accounts, was well known for his deep sense of duty and strict obedience to orders.

74. In short, although the outcome of the trial for the murder of the Jesuit priests is a landmark in the recent history of criminal justice in El Salvador, it does not go far enough. The Special Representative considers that the judicial investigation should continue in order to determine once and for all whether others were behind the crime and, if so, to bring them to justice.

75. With regard to the proceedings brought for the mass execution of peasants at San Sebastián on 21 September 1988, the competent authorities informed the Special Representative that an army major is implicated and that preparations are complete for a public trial, before a jury to be held shortly, it having been decided that this trial should follow the proceedings brought for the murder of the Jesuit priests and other persons.

76. The Attorney General 33/ also informed the Special that pre-trial proceedings are under way in the case of the mass killings in El Zapote canton on 21 January 1991 and that a number of persons have been arrested as the instigators and perpetrators of the crime. The Attorney General also referred to the criminal proceedings being brought for the killing of two American advisers on 2 January 1991, after the helicopter in which they were flying was shot down by FMLN forces. Proceedings are being brought against members of the guerrilla movement, the alleged murderers, and are at the pre-trial stage.

77. While stressing the undoubted value of the developments recorded in the preceding paragraphs, the Special Representative feels bound to note the lack of progress in the criminal proceedings brought for many other serious human rights violations committed in El Salvador. No progress has been made in the proceedings brought for the assassination of Monsignor Romero, the Archbishop of San Salvador, in March 1980, the murder of Herbert Amaya in October 1987, the mass killing of FENASTRAS trade unionists in October 1989 or the many other cases of human rights violations mentioned by the Special Representative in the reports he has been submitting since 1981 at the request of the Commission on Human Rights.

78. Consequently, although there have been significant developments in 1991 in the functioning of the Salvadorian criminal justice system, overall progress remains inadequate. However, as in 1990, the Special Representative wishes to point out that shortcomings and deficiencies are much more prevalent in the investigation of facts - currently carried out not by the judiciary, but by the Criminal Investigation Commission which answers to the executive branch - than in the actual judicial activity of juries, judges and courts. The latter have to pass sentence on the basis of facts established in the investigation, and the Special Representative considers that it is this stage of the proceedings which is in many cases highly questionable. The Special Representative therefore feels bound to urge the constitutional authorities of El Salvador to undertake the planned transfer of the Criminal Investigation Commission to the Attorney General's Office as soon as possible, although his own view is that the ideal solution would be to hand over the investigation of facts to the judiciary.

79. Lastly, the Special Representative wishes to refer to the data transmitted by the President of the Supreme Court on the progressive improvement in the functioning of Salvadorian criminal justice. For example, public hearings now end in failure only in 30 per cent of cases rather than 75 per cent; the number of convictions has increased (to 80 so far this year); and the number of those imprisoned without charge has dropped from 93 per cent to 78 per cent thanks to the promulgation and enforcement of the law of 21 April 1991. 34/

V. RESPECT FOR INTERNATIONAL HUMANITARIAN LAW IN ARMED CONFLICT

80. According to information from Legal Protection, the number of persons killed by the army in military actions, without specifying how many civilians and how many guerrillas, is as follows:

Persons killed by the army in military actions, ambushes, clashes and patrols, it being impossible to determine the number of civilians and the number of guerrilla fighters for lack of on-site investigation

Source: Legal Protection

	1990	1991
January	134	40
February	84	26
March	75	93
April	37	78
May	54	42
June	69	43
July	50	120
August	63	63
Total (up to August)	566	505

81. For its part, the Human Rights Commission (governmental) offers the following figures on civilians killed during clashes between the armed forces and the guerrillas:

Civilian deaths as a result of engagements between the armed forces and the FMLN

Source: Human Rights Commission (governmental)

	1991
January	0
February	0
March	0
April	1
May	0
June	17
July	1
August	0
Total (up to August)	19

82. Legal Protection claims that the army caused civilian deaths as a result of contact with explosive devices in the following numbers:

Civilian deaths as a result of contact with explosive devices implanted by the army

Source: Legal Protection

	1990	1991
January	0	0
February	0	0
March	0	2
April	0	1
May	0	0
June	0	0
July	0	0
August	0	0
Total (up to August)	0	3

83. As in previous years, the Special Representative received specific information on armed forces operations that allegedly claimed civilian victims in the conflict zones and caused damage to their properties and crops. Thus, on 16 April 1991, it is claimed that the army targeted the population of the resettled communities of San José Las Flores, San Antonio Los Ranchos, Guarjila and Arcatao, threatening people, seizing and torturing some of them and destroying their household goods and crops, always on the pretext that the residents of the area were helping the FMLN guerrillas. 35/ Some witnesses interviewed in El Salvador by the Special Representative confirmed the story. Other witnesses spoke of harassment followed by threats, destruction of goods and crops and arrests by the armed forces on 17 and 18 August in the resettled village of Segundo Montes in order to intimidate the local people by charging that they were helping the guerrillas. The Special Representative also heard testimony to the effect that on 4 September 1991 the army had opened fire from a hill near the resettled village of San José Las Flores, causing the death of a nine-month-old child and injuries to other villagers. All the witnesses involved were asked by the Special Representative whether, at the time the shots were fired, there were FMLN forces among them; he was told that there were none. ONUSAL believes that there is no convincing evidence that the FMLN was in fact in the community at the time of the events of 17 and 18 August. ONUSAL was unable to determine whether elements of the FMLN were or were not present in the community when the events of 4 September in San José Las Flores occurred. 36/

84. According to a statement from a witness interviewed personally by the Special Representative in San Salvador, on 8 April 1991 the armed forces launched an attack near the village of El Planón in the Department of Usulután. The gunfire was accompanied by air strikes and one of the bombs killed the wife and one daughter of the witness, as well as wounding him and

some of his other children. According to the witness, the FMLN was very nearby, although neither he nor his family had anything to do with the guerrillas.

85. The Special Representative expressed his concern about the information in the preceding paragraphs to the Defence Minister and the Armed Forces General Staff. With respect to the death of the nine-month-old child in San José Las Flores, he was told that she could not have been killed by an Army bullet because its small arms did not have the range required to hit the village from the position it occupied - the hill called "La Bola". The officers added that in all the cases mentioned, the FMLN was present and that the villages in question were being used by the guerrillas as supply bases or rest camps.

86. The Special Representative was also told that food and medicine sent by humanitarian organizations to villages in the conflict zones are often intercepted by the armed forces on the pretext that the FMLN is getting those shipments.

87. The Special Representative also received information from the FMLN about alleged executions of wounded combatants by members of the armed forces. The FMLN claimed that on 11 April 1991 one of its units, commanded by Antonio Cardenal, had been ambushed by the army; Cardenal, seriously wounded, had tried to escape, and during the chase he had been shot again several times and had died of his wounds. A different version of this event was given by the Armed Forces General Staff to the Special Representative: Cardenal, they claimed, had been fatally wounded in the chase that followed the ambush. The FMLN further claimed that on 3 July 1991, one of its units was again ambushed by the army, seriously wounding the guerrillas Turcio and Mira, who were allegedly later executed. The General Staff, however, claims that both guerrillas were killed in combat. Given the difficulty of investigating such events, the Special Representative regrets that he cannot reach any more precise conclusion about these charges. However, he would remind both parties of the absolute necessity for them to respect the rules of international humanitarian law, which require respect for the life and physical integrity of wounded combatants.

88. Given the difficulties encountered in investigating the reported facts, and taking into account all the information to which he has had access, the Special Representative remains convinced that the life of the civilian population in conflict zones is painfully hard and that both sides - the armed forces and the FMLN - should do their utmost to spare the people the harmful consequences of their conflict. The Special Representative also considers that in its war against the FMLN, the armed forces have killed and injured civilians - not deliberately and indiscriminately but accidentally and occasionally. The difficulties of his investigation make it impossible to determine precisely how many such cases there have been, although in his opinion the figure is lower than last year's. The armed forces also cause damage to public and private property, although it is difficult after a bloody battle to determine which of the opposing forces, the army or the guerrillas, is responsible for the damage.

89. As regards the civilian victims of guerrilla military action, the Archdiocesan Legal Protection Office and the Human Rights Commission (governmental) provide the following figures for persons killed by explosive devices planted by the guerrilla forces.

Civilian deaths caused by contact with explosive devices planted by the guerrillas

	Source: Legal Protection		Source: Human Rights Commission (governmental)	
	1990	1991	1990	1991
January	0	0	6	3
February	0	2	1	3
March	0	0	2	1
April	0	2	2	1
May	1	1	7	4
June	1	3	3	4
July	1	0	3	2
August	0	0	3	2
Total (up to August)	3	8	27	20

90. Legal Protection has supplied the following figures on civilian deaths caused by contact with explosive devices planted by persons unknown:

Civilian deaths caused by contact with explosive devices planted by persons unknown

Source: Legal Protection

	1990	1991
January	4	0
February	0	0
March	0	1
April	2	1
May	0	0
June	3	0
July	1	2
August	1	0
Total (up to August)	11	4

91. The Salvadorian Human Rights Commission (governmental) gives the following figures for civilians injured by contact with explosive devices planted by FMLN organizations:

	1990	1991
January	14	5
February	17	17
March	22	10
April	16	19
May	11	26
June	25	16
July	11	15
August	22	19
Total (up to August)	138	127

92. In his report to the Commission on Human Rights in 1991, the Special Representative reported the murder, in the first few days of 1991, of two United States military advisers after FMLN forces shot down the helicopter in which they were flying. 37/ A communiqué from the Frente to the Special Representative maintained that there was sufficient evidence to assume that part of the crew could have been killed by one or more members of the military unit. A communiqué dated 20 September 1991 sent to Legal Protection indicates that FMLN decided to refer the case to the Commission on the Truth which was soon to be established, notwithstanding its request that the Government of Switzerland should hold the accused on Swiss territory until the Commission was able to consider the case. The communiqué also indicates a readiness to turn the alleged perpetrators over to the Salvadorian judicial authorities once the Legislative Assembly has reformed the judiciary, "although this does not imply that FMLN is abdicating its responsibility for administering justice in accordance with its laws and tribunals". 38/

93. According to the world press, 39/ an FMLN attack on 20 February 1991 on two military bases in the city of San Miguel left two children dead. The local press reported that an FMLN attack on April 1991 in the village of Quezaltepeque left two civilians dead and dozens wounded. 40/ It was also reported that during an attack by FMLN urban commandos on 22 May 1991 on the First Infantry Brigade barracks in San Salvador, two women living in neighbouring houses were killed and four other civilians were wounded. 41/ The Special Representative was unable to obtain further information in El Salvador concerning this incident.

94. According to testimony heard by the Special Representative in San Salvador on 12 March 1991, Ramón Orellana was standing with a friend at the edge of a road near the town of Tenancingo, in the Department of

Cuscatlán, when they were hit by shots emanating from a group of FMLN members. Moments later, when the victim's friend asked why they had been fired upon, the guerrillas said that they had taken them for soldiers. During the victim's wake, members of FMLN sent an apology to his relatives stating that Orellana had been killed by mistake. The victim's friend, Lizandro, reportedly disappeared from his home two days after the incident.

95. According to the local press, 42/ Jesús Francisco Valladares, a National Police officer who was fleeing towards Honduras after being wounded in a battle was murdered by FMLN early in April 1991 near the El Poz border post. The Special Representative was unable to obtain additional information in El Salvador concerning this incident.

96. A witness reported that on 22 May 1991, four FMLN members in a red minibus launched a mortar attack on the First Infantry Brigade barracks in San Salvador. Seven mortars were fired; however, six of them hit six different houses in the suburb of Layco, indicating that they were not carefully aimed. One of the mortars exploded in the house at No. 720.29 Calle Poniente. The fragments killed Gladys Elena Cienfuegos, 62 years old, and Rosa Irma Montúfar de Girón, 60 years old, and injured their granddaughter, a minor, Violeta María Girón Cienfuegos. The women had taken refuge in the living room in their house some distance from the barracks. Half of the house was destroyed.

97. According to an armed forces communiqué, 43/ on 31 May 1991, during a battle in the Department of Morazán, FMLN guerrillas seized Corporal Isidro Pérez Martínez, who was later murdered by his captors. The body exploded into fragments when it was picked up.

98. The same source and the local press 44/ reported that a Guatemalan national, Jerónimo Cahuas, a peddler, was killed by guerrilla fire during an attack along the main highway north, on 3 June 1991.

99. According to testimony heard personally by the Special Representative in San Salvador, on 22 July 1991, members of FMLN launched a mortar attack on the National Guard post at Guazapa, in the Department of San Salvador. One of the mortars struck a dwelling on calle 5 de noviembre, fatally wounding a minor, Jenifer Sandoval Osorio, and injuring another, Yuri Wilfredo Osorio Suárez. According to the victim's grandmother, the mortar shells were fired from some distance away. Her granddaughter died from injuries caused by shell fragments.

100. According to a communiqué from the Armed Forces General Staff 45/ dated 29 August 1991, at the end of August 1991, an FMLN commando intercepted an ambulance with Red Cross markings that was transporting a seriously injured soldier to a military hospital; the soldier died for lack of proper medical attention. Independent sources confirmed the incident to the Special Representative. A representative of FMLN acknowledged that the incident had occurred, but added that there was no proof that the soldier had not died before the ambulance was stopped.

VI. EFFORTS TO IMPROVE THE HUMAN RIGHTS SITUATION AND THEIR RESULTS

101. On 26 July 1991 the United Nations Observer Mission in El Salvador (ONUSAL) finally was established in El Salvador, and as of 15 September, it consisted of 101 officials. The Human Rights Division set up under the terms of the San José Agreement on Human Rights of 26 July 1990 between the Government and FMLN immediately took up its duties. On 24 September 1991 ONUSAL issued its first report and this was followed by the first report of the Director of the Human Rights Division. The Special Representative is very gratified by the positive attitude of the Government and FMLN with regard to the establishment and functioning of ONUSAL. That attitude unequivocally demonstrates the sincere interest of both parties in ensuring the fullest possible compliance with existing agreements and any that may be reached in the future.

102. With specific reference to the efforts by the constitutional authorities of El Salvador to improve the human rights situation, the Special Representative wishes to note that he again found President Cristiani fully disposed to respect those rights. In this connection, in his report on his second year in office, 46/ Mr. Cristiani again reaffirmed the commitment of his office to the defence of the fundamental rights of the human person. The other authorities and official bodies also remained committed to improving the human rights situation. Their determination was described in detail in the 1991 report to the Commission on Human Rights, 47/ and the reader is referred to that document.

103. As to other humanitarian gestures of the Salvadorian authorities, the Special Representative was informed by the General Staff that the armed forces allowed and facilitated the evacuation of, and assistance to, wounded and maimed guerrillas. In this connection, the Special Representative wishes to acknowledge as a humanitarian gesture the transfer of a captured guerrilla commander with infected wounds in both legs to Rosales Hospital in San Salvador on 11 March 1991, with the assistance of the International Committee of the Red Cross. 48/

104. The FMLN also has made commendable humanitarian gestures, including the unilateral truce decreed from 9 to 11 March during the elections, 49/ the truce announced during the summit meeting of Central American Presidents from 15 to 17 July, 50/ and the truce on 13 and 14 September during the negotiations in New York. 51/ The Special Representative also wishes to note the release by FMLN on 8 April 1991, through ICRC, of seven captured customs officers. 52/ According to an FMLN communiqué, a captured young woman, 15 years of age, was handed over to an ICRC representative on 22 May. The Special Representative has learned of the release of other captured combatants.

105. While he commended the humanitarian gestures described above and the readiness of both parties to reach an early negotiated peace - under which respect for human rights will be a fact of daily life - the Special Representative nevertheless must point out that both parties committed serious human rights violations during 1991. In his view, there is a serious and alarming gap between proclaimed intentions and results.

VII. CONCLUSIONS

106. After carefully assessing the information included in this report on the situation of human rights in El Salvador thus far in 1991, the Special Representative draws the following conclusions:

Economic, social and cultural rights

107. The situation of the economic, social and cultural rights of Salvadorian citizens continues to be affected adversely by a combination of factors, principally the persistence of the armed conflict between the armed forces and FMLN and the resultant climate of violence.

108. The attacks carried out by the FMLN guerrilla organizations against elements of the country's economic infrastructure also seriously undermine the present and future enjoyment by Salvadorian citizens of important economic, social and cultural rights, although note must be taken of the fact that such attacks have not been as widespread and frequent as in past years.

109. Thus far in 1991, Government harassment of humanitarian, trade union and peasant organizations and resettled communities has continued. The Government maintains that some of these organizations answer to FMLN, an allegation which the organizations concerned refute, but even if this were true it would only justify action that remained within the law and respected human rights.

Summary executions

110. Members of the State apparatus, particularly of the armed forces and civil defence forces, have continued to carry out politically motivated summary executions, the exact number of which, although difficult to determine, is slightly lower than last year. One disturbing fact is the continuing climate of intimidation among certain sectors of the population as a result of explicit threats of summary executions or other human rights violations.

111. Many sources continue to attribute summary executions and other human rights violations to the so-called "death squads" allegedly linked to or tolerated by the armed forces or the security forces. The Special Representative finds that allegation plausible in theory, although the difficulties of investigating such crimes prevent him from reaching reliable and definite conclusions in specific cases. It is also possible that ordinary offences are being commited under cover of these activities.

112. FMLN, for its part, has continued to carry out summary executions of persons alleged to have collaborated with the armed forces, although the numbers are slightly lower than last year.

Abductions and disappearances

113. Cases of politically motivated disappearances of individuals have continued to be reported. While it is difficult to determine how many there

have been and who was responsible, the Special Representative does not rule out the possibility that the "death squads" were involved in some cases.

114. The guerrilla organizations have also abducted soldiers out of combat and civilians and have even, on occasion, forcibly recruited minors.

Treatment of political prisoners

115. There have continued to be cases of torture and cruel, inhuman or degrading treatment during extrajudicial interrogations of political detainees, although the Special Representative believes that these practices are not widespread and do not represent a government policy.

Criminal justice

116. The verdict delivered on 25 September 1991 by the jury in the case of the murders of the Jesuit priests and others in November 1989 sets an important precedent in Salvadorian criminal justice, although the Special Representative shares with sectors of local and international opinion the justified misgivings that those who actually planned the murders have not been tried and sentenced. The Special Representative is in any case concerned at the lack of significant progress in the criminal proceedings instituted on many serious human rights violations committed in past years.

The armed conflict

117. The situation of the civilian population in the areas of heaviest fighting remains very difficult and distressing, particularly in resettled comunities, and the military operations of the armed forces have also caused deaths and injuries among that population, although only occasionally and through negligence, not on a widespread, indiscriminate or intentional basis. The exact number of such deaths is difficult to determine, although it is lower than last year and lower than that of summary executions outside combat.

118. FMLN, for its part, has caused civilian deaths or injuries as a result of the explosion of contact mines, although it can sometimes be difficult to determine whether FMLN organizations or the armed forces planted the devices. Guerrilla fire has continued to occasionally cause other civilian casualties.

Efforts to strengthen respect for human rights and their results

119. There can be no doubt as to the determination of the President of the Republic and other Salvadorian constitutional authorities to improve the human rights situation. Although this has occasioned a slight decrease in the number of serious violations of those rights, it is an indisputable fact that serious violations continue.

120. FMLN too has shown an interest in respect for human rights, but this has not prevented it from committing serious violations of those rights, although on a slightly lesser scale than last year.

121. The Government and FMLN have intensified the negotiating process, under the auspices of the Secretary-General of the United Nations, with a view to ending the conflict. Promising results have been achieved so far. The Special Representative believes in any case that the reduction of violence both in and out of combat will help to create a climate of mutual trust that will facilitate a successful outcome to the negotiations and the full implementation of the agreements reached.

VIII. RECOMMENDATIONS

122. The Special Representative continues to be concerned at the situation of human rights in El Salvador, despite the fact that, thus far in 1991, there has been a decrease in the number of violations as compared with 1990. He therefore once again appeals most emphatically to the Government and all the country's political authorities, institutions and forces, including the guerrilla organizations, to take all necessary steps to bring to an immediate and complete end attempts on the life, physical integrity and dignity of persons both in and out of combat.

123. The Special Representative also calls most emphatically on the Government and FMLN to continue to show political realism, imagination and generosity towards the Salvadorian people in the current negotiating process, so that a just and lasting peace can be achieved as soon as possible, followed by national reconciliation and reconstruction. The Special Representative also recommends to both parties to the conflict that they not only try to impart to the most radicalized sectors of society a civic culture of peace and harmony which will ensure full respect for the agreements, but also endow those agreements with efficient mechanisms and instruments which will guarantee their scrupulous implementation.

124. The Special Representative particularly reiterates to the constitutional authorities of the Republic of El Salvador the recommendations made in his latest report to the Commission on Human Rights, 53/ and specifically:

(a) The adoption of measures to prevent any kind of threats and psychological intimidation against certain sectors of the population;

(b) Perseverance with the judicial reform effort and the establishment of an efficient criminal investigation body under the judiciary;

(c) Perseverance in carrying out the agrarian reform programme and other structural reforms needed to improve the population's well-being.

125. The Special Representative reiterates to FMLN and guerrilla organizations the recommendations made in his latest report to the Commission on Human Rights, 53/ and specifically:

(a) Resolute continuation of their policy of not planting contact mines which may cause casualties among the civilian population;

(b) That they immediately refrain from all attacks on the country's economic infrastructure.

126. Lastly, the Special Representative again recommends to all States of the international community, in particular the richest and most developed countries, that they increase the assistance necessary to alleviate and improve the situation of Salvadorian citizens who have been displaced, made refugees or resettled as a result of the armed conflict.

Notes

1/ Press Release SG/SM/4426 of 4 April 1990.

2/ El País, 7 January 1991.

3/ Document S/22060 of 10 January 1991.

4/ El País, 29 April 1991.

5/ El Diario de Hoy, 30 April 1991.

6/ Journal de Genève, 25-26 May 1991.

7/ El País, 3 June 1991; Le Monde, 5 June 1991.

8/ Inforpress Centroamericana, 20 June 1991.

9/ El País, 24 June 1991.

10/ The Guardian, 28 June 1991.

11/ El Rescate, El Salvador Chronology, Vol. VI, No. 7, July 1991.

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14/ Central American Labor Defense Network, Urgent Action Bulletin, 18 March 1991.

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20/ An Americas Watch Report: El Salvador and Human Rights. The Challenge of a Reform, March 1991, p. 59.

21/ El Salvador on Line, 4 March 1991.

22/ Human Rights Commission (non-governmental) of El Salvador. Letter dated 1 July 1991 to the Special Representative.

23/ El Salvador on Line, 2 September 1991.

24/ El Salvador on Line, 15 March 1991.

25/ Amnesty International, El Salvador. Killing of Gustavo Rosa Ramírez Aguilar, June 1991, AI Index: AMR 29 July 1991.

26/ El Salvador on Line, 15 July 1991; information transmitted to the Special Representative by the Human Rights Commission (non-governmental) of El Salvador, 22 July 1991.

27/ Ibid., 12 August 1991.

28/ El Salvador on Line, 5 August 1991; other information.

29/ Armed Forces of El Salvador Joint Staff, San Salvador, 1 July 1991.

30/ El Salvador on Line, 12 August 1991.

31/ El Salvador on Line, 26 August 1991.

32/ Torture in El Salvador. Report on cases reported in the first four months of 1991, May 1991.

33/ Report of the Special Representative dated 23 September 1991.

34/ Report of the Supreme Court of Justice to the Special Representative, September 1991; report of the Commission to Amend Salvadorian Legislation to the Special Representative, September 1991.

35/ El Salvador on Line, 22 April 1991.

36/ First report of the Director of the ONUSAL Human Rights Division, San Salvador, 24 September 1991.

37/ Document E/CN.4/1991/34, para. 103.

Notes (continued)

38/ FMLN communiqué to the Archdiocesan Legal Protection Office, 20 September 1991.

39/ Le Monde, 22 February 1991.

40/ La Prensa Gráfica and El Diario de Hoy, 9 April 1991.

41/ El Salvador on Line, 27 May 1991.

42/ El Diario de Hoy, 5 April 1991.

43/ Armed Forces of El Salvador Joint Staff, San Salvador, 5 June 1991.

44/ La Prensa Gráfica, 5 June 1991.

45/ Communiqué from the Embassy of El Salvador to the United Nations at Geneva.

46/ El Salvador, 1 June 1991.

47/ Document E/CN.4/1991/34, paras. 107-111.

48/ Communiqué from the Armed Forces Joint Staff, San Salvador, 7 March 1991.

49/ El Salvador on Line, 4 March 1991.

50/ Ibid., 15 July 1991.

51/ FMLN communiqué of 11 September 1991.

52/ Communiqué of 9 April 1991.

53/ Document E/CN.4/1991/34, para. 134.

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REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY

United Nations disarmament fellowship, training and advisory services programme

Report of the Secretary-General

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I. INTRODUCTION

1. The General Assembly, at its forty-fifth session, adopted resolution 45/59 A of 4 December 1990, entitled "United Nations disarmament fellowship, training and advisory services programme", in which the Assembly, inter alia, reaffirmed its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General (A/33/305) approved by resolution 33/71 E of 14 December 1978; requested the Secretary-General to continue the implementation of the programme within existing resources and to report to the General Assembly at its forty-sixth session.

2. The present report is submitted by the Secretary-General pursuant to paragraph 5 of the above-mentioned resolution.

II. STRUCTURE AND OBJECTIVES OF THE DISARMAMENT FELLOWSHIP, TRAINING AND ADVISORY SERVICES PROGRAMME

3. The relevant information relating to the structure, including the guidelines and method of work, of the disarmament fellowship, training and advisory services programme can be found in (a) the report of the Secretary-General to the General Assembly at its thirty-third session (A/33/305), approved by the Assembly in its resolution 33/71 E of 14 December 1978; (b) the report of the Secretary-General to the General Assembly at its fortieth session (A/40/816, paras. 3-5, 8-11 and 27); (c) Assembly resolution 40/151 H of 16 December 1985; and (d) Assembly resolution 42/39 I of 30 November 1987.

III. ACTIVITIES UNDER THE DISARMAMENT FELLOWSHIP PROGRAMME

A. General

4. The 1991 programme of disarmament studies started at Geneva at the Palais des Nations on 22 July 1991 and will end in New York at United Nations Headquarters on 16 November 1991.

5. In general, the 1991 programme included disarmament lectures, seminars and panel discussions, research projects on peace and disarmament, simulation exercises and study visits.

B. Selection of 1991 disarmament fellows

6. Twenty-five disarmament fellows were selected in 1991 by the Secretary-General, with the assistance of a selection panel, which met in May 1991.

7. The names and nationalities of the 25 disarmament fellows are as follows:

1.	Mr. Joao Baptista DA COSTA	Angola
2.	Mr. Awangku ALIHASHIM YUSSOF	Brunei Darussalam
3.	Mr. Martin MBENG AGBOR	Cameroon
4.	Mr. Zukamg SHA	China
5.	Ms. Ana Matilde RIVERA FIGUEROA	Costa Rica
6.	Mr. Zdenek STIBOR	Czechoslovakia
7.	Ms. Diana Minerva CEPEDA NUNEZ	Dominican Republic
8.	Mr. Aly O. SIRRY	Egypt
9.	Mr. Loukas KARATSOLIS	Greece
10.	Mr. Karamo KOITA	Guinea
11.	Mr. Pedro FERNANDES	Guinea-Bissau
12.	Mr. Hamid Ali RAO	India
13.	Mr. Djumantoro PURBO	Indonesia
14.	Mr. Hamid BAIDI-NEJAD	Iran (Islamic Republic of)
15.	Ms. Salome F. ATANDI	Kenya
16.	Mr. Raymond VASSALLO	Malta
17.	Mr. Patrice E. CURE	Mauritius
18.	Mr. Lamjavyn JARGALSAIHAN	Mongolia
19.	Mr. Muntari A. KAITA	Nigeria
20.	Mr. Cristian ISTRATE	Romania
21.	Col. Tanasak SUDTITES	Thailand
22.	Mr. Atilla GUNAY	Turkey
23.	Mr. Mikhail OSNATCH	Ukraine
24.	Mr. Yumi SHAKU	Zaire
25.	Mr. Davies SAMPA	Zambia

C. Geneva part of the programme

8. The fellows were exposed to various shades of opinion in order to facilitate the discussion of disarmament issues from different perspectives and to promote greater understanding of the various global/multilateral, regional, bilateral and national approaches to disarmament.

9. The Geneva programme, which covered practically every aspect of disarmament and security, included lectures on disarmament issues, both in their historical context and as the subject of current deliberations and negotiations, as well as following the meetings of the Conference on Disarmament in order to understand the conduct of actual disarmament negotiations. The specific disarmament topics covered included the following: (a) Procedures and Practices of the Conference on Disarmament (CD); (b) multilateral approaches to disarmament negotiation (with special references to the CD); (c) assessments of deliberations and negotiations on various items in the CD and its ad hoc committees, including cessation of the nuclear-arms race and nuclear disarmament, the prevention of nuclear war, chemical weapons, nuclear-test ban, the prevention of an arms race in outer space and security assurances to non-nuclear-weapon States; (d) the role of the United Nations in the field of disarmament; (e) history of arms control negotiations and evaluation of major arms control limitation and disarmament agreements including their verification and enforcement; (f) the main provisions of the Treaty on Non-Proliferation of Nuclear Weapons (NPT), and the four NPT Review Conferences; (g) confidence-building measures; (h) nuclear-weapon-free zones; (i) regional disarmament and security; and (j) United Nations and other sources of disarmament information.

D. Study visit to the International Atomic Energy Agency at Vienna

10. The fellows visited the headquarters of the International Atomic Energy Agency (IAEA) at Vienna and attended briefings and lectures on the following topics: IAEA - what it is and its history; legal basis for international safeguards, including mechanisms for international cooperation; IAEA safeguards system and the nuclear non-proliferation regime; IAEA safeguards inspection - how it works. The fellows also attended plenary meetings of the IAEA General Conference.

E. Study visit at the invitation of Governments of States Members of the United Nations

1. General

11. This year, the Department for Disarmament Affairs received letters from six Member States (Finland, France, Germany, Japan, Sweden, and United States of America) inviting participants in the 1991 programme to visit their countries in order to study their policies and activities in the field of arms limitation and disarmament. These visits, organized in a generous and efficient manner by the host Governments, provided the fellows with additional sources of information, as well as practical knowledge.

2. Countries visited in 1991

12. In the various countries extending invitations, the fellows visited the following places and institutions: (a) Finland: the Ministry of Foreign Affairs, Uusimaa Jaeger Batallion and Suomanlinna Coastal Regiment, Finnish Research Project on the Verification of Chemical Disarmament, Finnish Research Project on Seismological Verification of Nuclear Tests; (b) France: le service de desarmement de Présidence de la République, Secrétariat général de la Défence Nationale, Ministère des Affaires Etrangères; (c) Germany: the Federal Foreign Office, the Press and Information Office of the Federal Government, the Federal Armed Forces NBC Defence Science Agency at Münster, the incineration plant and the explosive ordinance disposal facilities at Münster; (d) Japan: the Ministry of Foreign Affairs, Hiroshima (office of the Mayor, the Peace Memorial Museum, Cenotaph for Atomic Bomb Victims, Atomic Bomb Hospital, a film showing "Hiroshima-A Mother's Prayer" and a meeting with scholars and atomic bomb survivors) and Nagasaki (offices of the Governor and Mayor, Atomic Bomb Museum, showing of a film on atomic bombing of Nagasaki, Hill of Grace A-Bomb Victims' Nursing Home); (e) Sweden: Ministry of Foreign Affairs, National Defence Research Establishment (FOA), the Stockholm International Peace Research Institute (SIPRI); (f) United States of America: before the end of the 1991 programme, the fellows will visit the Arms Control and Disarmament Agency (ACDA) and other agencies and research institutes at Washington, D.C.

F. New York part of the Programme

13. The New York part of the programme is taking place during the forty-sixth session of the General Assembly and will end by 16 November 1991.

14. The programme of studies includes: attendance at meetings of the First Committee of the General Assembly from the general debate on disarmament items to the actual voting on draft resolutions; lectures/seminars on the following topics - all the disarmament and international security items allocated to the First Committee; procedures and practices of the First Committee; the work of the Department for Disarmament Affairs in connection with disarmament conferences, publications, monitoring and studies, training and regional disarmament workshops, World Disarmament Campaign; evaluation of selected draft resolutions on disarmament submitted to the General Assembly; simulation exercises, in which the fellows assume the roles of delegates in "real world" disarmament negotiating scenarios; the role of the United Nations in the maintenance of international peace and security; and United Nations peace-keeping operations; attendance at Disarmament Week events.

G. Disarmament research projects and papers

15. Research work is an essential and integral part of the programme of studies. The fellows prepared and submitted 25 written papers of 15 to 20 pages each on a variety of disarmament issues. In addition to the research

papers, the fellows made oral presentations on a wide range of disarmament subjects.

IV. ACTIVITIES UNDER THE REGIONAL DISARMAMENT TRAINING AND ADVISORY SERVICES PROGRAMME

A. Background

16. In 1985, in resolution 40/151 H, the General Assembly decided to expand the forms of assistance available to Member States under the United Nations Disarmament Fellowship Programme to include regional disarmament training and advisory services. Within the framework of the regional disarmament training and advisory services, the Department for Disarmament Affairs has developed a programme of regional disarmament workshops to be organized on a regional or subregional basis, in cooperation with the United Nations Regional Centres for Peace and Disarmament.

17. The modalities for the implementation of the workshop are contained in General Assembly resolutions 40/151 H and 42/39 I, as well as in the relevant paragraphs of the Secretary-General's reports (A/41/720 and A/43/719).

18. In particular, the modalities make clear that besides the limited resources provided under the United Nations regular budget, (a) a Government in the region concerned will be expected to act as host when the regional disarmament workshop takes place in that particular region and (b) other interested Governments could make contributions as appropriate towards the costs of the regional disarmament workshops. Governments will be expected to nominate the participants for the Workshops. The Department for Disarmament Affairs will select a limited number of speakers from within and outside the region concerned.

19. More specifically, the main objectives of the series of Workshops are to promote a better understanding and awareness of the current disarmament negotiations and issues, particularly those of common concern to the region concerned, and to explore possible regional or subregional approaches to facilitate conflict resolution, strengthen disarmament efforts and enhance regional security.

B. United Nations Regional Disarmament Workshop for Africa (1989)

20. The first United Nations Regional Disarmament Workshop was held in 1989 at Lagos from 3 to 7 April 1989. Representatives of 21 African States participated in the workshop. The participants examined issues such as security perceptions and requirements in the African context; regional systems for the promotion of security and conflict resolution in Africa; nuclear-free zone in Africa; disarmament and development, with special reference to Africa; reducing tensions and achieving security in the South Atlantic; regional

peace-keeping in Africa; conventional disarmament and its effect on Africa; multilateral system for the promotion of security and disarmament; East/West experience in the search for security (from Helsinki to Stockholm and to Vienna); ongoing negotiations on disarmament: African perspectives. Texts of the papers presented at the Workshop were published in 1990 by the Department for Disarmament Affairs under the title "African Security Perceptions and Requirements, including Related Regional Issues".

C. United Nations Regional Disarmament Workshop for Asia and the Pacific (1991)

21. The second United Nations Regional Disarmament Workshop was held in 1991 at Bandung, Indonesia (28 January-1 February 1991). Representatives of 21 countries from Asia and the Pacific participated in the Workshop. The Workshop considered the concepts of peace and security in the Asia-Pacific context; assessed the global efforts to achieve a comprehensive ban on chemical weapons and to strengthen the non-proliferation regimes of nuclear weapons and other weapons of mass destruction; reviewed regional disarmament efforts in general and examined, more particularly, such efforts and proposals from the South Asian, South-East Asian and the Pacific perspectives; and discussed, through various case-studies, conflict resolution in the Asia-Pacific region. Texts of the papers presented at the workshop will be published in 1991 by the Department for Disarmament Affairs, under the title "United Nations Regional Disarmament Workshop for Asia and the Pacific".

D. United Nations Regional Disarmament Workshop for Latin America and the Caribbean with Special Emphasis on Chemical Weapons (1991)

22. The third United Nations Regional Disarmament Workshop was held at Mexico City, Mexico from 1 to 5 July 1991. Representatives of 21 countries from Latin America and the Caribbean participated in the Workshop. The Workshop assessed the global efforts to achieve a comprehensive ban on chemical weapons; discussed the current status of negotiations on the chemical weapons convention; reviewed regional disarmament efforts in general and examined, more particularly, prospects for conventional arms limitation in Latin America; and considered regional efforts to strengthen the non-proliferation regimes of nuclear weapons. The texts of the papers presented at the Workshop will be published by the Department for Disarmament Affairs under the title "United Nations Regional Disarmament Workshop for Latin America and the Caribbean with Special Emphasis on Chemical Weapons".

E. Contributions by interested Governments

23. Besides the limited resources provided under the United Nations regular budget, Governments made financial contributions as follows:

(a) United Nations Regional Disarmament Workshop for Africa: Norway;

(b) United Nations Regional Disarmament Workshop for Asia and the Pacific: Norway, New Zealand;

(c) United Nations Regional Disarmament Workshop for Latin America and the Caribbean with Special Emphasis on Chemical Weapons: Norway.

V. CONCLUSION

24. The General Assembly has on many occasions emphasized the importance and value of the disarmament fellowship programme. By the end of 1991, the programme will have trained 292 government officials from 113 countries, and it has made a significant and useful contribution to the development of greater expertise in disarmament. It has also given the disarmament fellows knowledge and experience on which they can increasingly draw as they assume greater responsibility for their nations' policies.

25. As is evident in the present report, the Department has organized, within the framework of the United Nations Regional Disarmament Advisory Services Programme, regional disarmament workshops for Africa, Asia and the Pacific, and Latin America and the Caribbean. In effect, the disarmament fellowship programme, which is global in scope, and the regional disarmament workshops, which are regional in scope, complement each other.